



City of Loma Linda Official Report

Floyd Petersen, Mayor
Karen Hansberger, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: September 9, 2003

TO: City Council

VIA: Dennis R. Halloway, City Manager

FROM: Pamela Byrnes-O'Camb, City Clerk

SUBJECT: Council Bill #O-2003-8 (Second Reading/Roll Call) – Amending the Municipal Code to add Chapter 13.06 entitled Water Rules and Regulations (Placing existing Rules and Regulations in Ordinance Form and repealing Resolution 2016 relating to same); modifying rates pertaining to water meter installation

RECOMMENDATION

It is recommended that the City Council waive reading of Council Bill #O-2003-8 in its entirety; direct the Clerk to read by title only; and adopt on roll call vote.

BACKGROUND

Fees are established to recover reasonable costs borne by the City. In an effort to maximize the efficiency of personnel, all future water meters will be the remote-read radio transmit type, which allows the meter reader to cover the route in less time, resulting in cost savings to the City. The additional \$130 per unit will be included in the water meter installation cost.

In addition, a prepayment is collected at the time a water service is established. The prepayment is intended to cover a two-month usage charge. On August 26, the City Council modified the recommended prepayment. The proposed ordinance reflects the change.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LOMA LINDA, CALIFORNIA, AMENDING THE LOMA LINDA
MUNICIPAL CODE TO ADD CHAPTER 13.06 ENTITLED WATER
RULES AND REGULATIONS

THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES HEREBY ORDAIN AS
FOLLOWS:

Section 1. The Loma Linda Municipal Code is hereby amended by adding Chapter 13.06
read as follows.

Water Rules and Regulations

The City Council has established rules and regulations for the transaction of business and system construction in the City of Loma Linda Public Works Department, Water Utility Division, and in response to changes in the water service needs within the City, has, at various times, amended said rules and regulations.

Pursuant to Article XIII B of the California Constitution, it is the intent of the City Council to require the ascertainment and recovery of costs reasonably borne from fees and charges levied therefor in providing the regulation, products or services hereinafter enumerated.

The City Council of the City of Loma Linda resolves that the following rules and regulations for the transaction of business and system construction in the City of Loma Linda Public Works Department - Water Utility Division, under the provisions of the City of Loma Linda Municipal Code, are hereby adopted for immediate implementation:

- I. General.** Enforcement of Rules and Regulations pertaining to the operation, expansion, improvement, repair and safeguarding of the system and matters pertaining to finance including consumer deposits, prepayments, collection of charges, billing and delinquent accounts are the responsibility of the City Manager or his designated representative.
- II. Establishment of Water Service.** Applicants for residential water service prior to the establishment of service for each address or location of a water meter will be charged a deposit prepayment in accordance with the following:

Single-family residence	\$ 75.00 \$110.00	\$100.00
Duplex or two(2) units	150.00 \$220.00	\$200.00
Tri-plex or three (3) units	225.00 \$330.00	\$300.00
Four-plex or four (4) units	250.00 \$440.00	\$400.00
Five (5) units	275.00 \$550.00	\$500.00
Six (6) units	300.00 \$660.00	\$600.00
Seven (7) units	325.00 \$770.00	\$700.00
Eight (8) units	350.00 \$880.00	\$800.00

Prepayment for Irrigation Only

3/4" - 1"	\$150.00
1-1/2"	250.00
2"	350.00
3" and larger	500.00

Deposits Prepayments for multi-residential services exceeding eight (8) units will be estimated on projected billing amounts, with the maximum deposit prepayment not to exceed \$2,000.00 \$3,000.00. Deposits Prepayments for commercial services will be estimated on projected billing amounts for the specific type of use. Upon the completion of one year of satisfactory payment history, deposits prepayments shall be credited to the respective consumers' accounts.

Any outstanding indebtedness to the City for prior water service must be paid in full before service is resumed at any old or new service address.

III. Meter Rates - meter Installation Charges - Service Calls - Front Footage Charges - Fire Hydrant Water

- A. All new dwellings and industrial or business-professional buildings shall be supplied with a minimum 3/4 inch water meter or larger.
- B. Connection service charge paid to the City of Loma Linda in advance by the applicant will be for each connection as follows:

Connection to Street Main:

3/4" Meter	\$1,251.25	\$1,381.25
1" Meter	1,322.75	\$1,452.75
1-1/2" Meter	1,746.25	\$1,876.25
2" Meter	1,975.97	\$2,105.97

Connection to Lateral Stub:

3/4" Meter	\$ 214.50	\$344.50
1" Meter	278.85	\$508.85
1-1/2" Meter	426.89	\$556.89
2" Meter	554.22	\$684.22

- C. Front Footage Charges: (No reimbursement agreement)

6" or less	\$ 12.65/FF
8"	18.15/FF
10"	20.90/FF
12" or more	28.05/FF

- D. New Housing Tracts: A flat rate of \$25.00 per lot will be charged to each new tract for construction water. This charge will be paid in advance in conjunction with the grading permit issuance and cover all water used as follows:

1. Meter Services: A jumper shall be installed (in place of water meter) at the beginning of house construction for a maximum period of time of 120 days or until the lot landscaping begins or house is finished, whichever comes first. Thereafter, the water meter shall be installed subject to all charges as listed in Section II and Section III.
 2. Fire Hydrants: Water used for tract grading and jetting of trenches is not covered in the above charge. Rates for these uses are covered in the next Section (Section III E).
- E. Fire Hydrant Water:
1. A \$600.00 deposit prepayment shall be paid before meter is set. Return of a deposit prepayment is subject to the payment for water used at the applicable rate, and the return of the meter in satisfactory condition. A reduction from the deposit prepayment shall be made to cover the cost of necessary repairs to, or replacement of, the meter and for other fees and charges.
 2. Rental of meter shall be ~~\$2.20~~ \$2.50 per each calendar day or portion of day out of shop, or a minimum of ~~\$50.00~~ \$75.00 whichever is greater.
 3. All water consumed shall be billed at ~~\$.963~~ \$0.98 per 100 cubic feet.
 4. Meter shall be read and billed the last day of each month.

IV. Credit Rules - Payment of Bills

- A. Water bills are due and payable upon presentation; delinquent 10 days after mailing date.
- B. If service is discontinued for non-payment of bill, a turn-on charge pursuant to Executive Order, plus payment of the full amount for utility service is required before services will be restored.
- C. Delinquent notices are sent twenty (20) days after the mailing date. Water service may be discontinued.
- D. Ten (10) days after service has been discontinued, consumer's deposit prepayment will be applied to unpaid balance and accrue to City unless delinquent charges have been paid.
- E. Notice of Intention to Discontinue Water Service shall be given to the Applicant for water service at any time after the delinquent notice has been mailed. The Notice to Discontinue Water Service shall include a date water service shall be discontinued and shall afford an opportunity for the applicant or an affected party to be heard regarding reasons why water service should not be discontinued. Copies of the Notice shall be sent to occupants of the premises.
- F. Not less than twenty-four (24) hours before discontinuance of water service, the property shall be notified of the pending discontinuance of service by the placement of a door hanger Notice on a conspicuous door upon the premises which shall state substantially as follows:

Because of non-payment of your last utility bill, your services will be discontinued on _____

- G. Service will not be resumed until a deposit prepayment in accordance with Section II is reconstituted plus payment of a turn-on charge pursuant to Executive Order, except for Saturday, Sunday or holidays and after 5:00 p.m. on weekdays, for which a ~~\$40.00~~ \$45.00 turn-on charge shall apply, plus ten percent (10%) of the outstanding bill and two percent (2%) per month penalty charges.
- H. Court action shall be instituted by the City Manager or his designated representative to recover any amount outstanding after the deposit prepayment has been applied to bill.

V. Penalties.

- A. A person, firm, business or corporation using water from an active service connection without having first applied for service will be liable for double all charges accrued since the last official meter reading at the service meter.
- B. Penalty for any unauthorized use of water pursuant to the provisions of Title 13 of the Municipal Code shall be punishable by (1) a fine of not more than one hundred dollars (\$100.00) for a first violation; (2) a fine not exceeding two hundred dollars (\$200.00) for the same violation a second time within one year and (3) a fine not exceeding five hundred dollars (\$500.00) for the same violation three or more times within one year. Each such person shall be deemed guilty of a separate offense for every day during such portion of which a violation of Title 13 of the Municipal Code is committed, continued or permitted by such person, and shall be punishable therefore.

VI. Reimbursement. If an applicant has to extend a water main from some distant point to his property line, and this extension may benefit future developers, he may be reimbursed as the intervening property is developed with the City acting as the collecting agent in contract with the original applicant. Establishment of a reimbursement agreement will be at the discretion of the City Council. If an agreement is executed, the rate and term of reimbursement shall be established by each reimbursement agreement as approved by the City Council.

VII. Exclusive Purveyor. The City of Loma Linda retains the right to be the retail water purveyor for all domestic water service within the City Limits of the City of Loma Linda and areas beyond the City Limits by written agreement with the exception of those institutionally related services who at any time receive water from the Loma Linda University Water System.

VIII. Repealer. Resolution No. 2016 is hereby repealed.

Section 2. Validity. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such holding or holdings shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 3. Posting. Prior to the expiration of fifteen (15) days from its passage, the City Clerk shall cause this Ordinance to be posted pursuant to law in three (3) public places designated for such

Ordinance No.
Page 5

purpose by the City Council.

This Ordinance was introduced at the regular meeting of the City Council of the City of Loma Linda, California, held on the 26th day of August 2003 and was adopted on the ____ day of _____ by the following vote to wit:

Ayes: _____

Noes: _____

Abstain: _____

Absent: _____

Floyd Petersen, Mayor

Attest:

Pamela Byrnes-O'Camb, City Clerk